

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 99-128

March 9, 1999

ELLSWORTH WATER DEPARTMENT
Application for Approval of Issue
of Securities (§ 902) (\$162,500)

ORDER APPROVING
ISSUE OF SECURITIES

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

On February 26, 1999, Ellsworth Water Department (the Water Department) filed with the Commission its application for authority to issue its bond in a sum not to exceed \$162,500 through Moors and Cabot, at an annual rate not to exceed 4.25 percent. The debt will be paid over a term not to exceed 5 years.

The Water Department requires these funds for the purposes of refinancing the balance of an existing water bond in order to achieve interest savings over the term of the bond. The bond will be refinanced only if the interest saving are realized.

Having reviewed the application of the Water Department, together with data filed in support of it, it is the opinion of the Commission that the proceeds of the issuance of the bond are required in good faith for the purposes enumerated in 35-A M.R.S.A. § 901. In approving this securities issue, consistent with normal practice and pursuant to § 902(4), the Commission does not imply approval of the Water Department's capital needs or capitalization ratio for ratemaking purposes, nor does this Order limit or restrict the powers of the Commission in determining or fixing any rate.

Accordingly, we

O R D E R

1. That the Ellsworth Water Department is hereby authorized to issue its bond in a sum not to exceed \$162,500 to be used solely for the purposes described in this Order, and at a rate not to exceed 4.25 percent per year through Moors and Cabot for a term not to exceed 5 years.

2. That the Water Department report to the Commission, in writing, its actions pursuant to this Order within sixty (60) days of the date of the issue of the proposed bonds, or by June 30, 1999 whichever may come first.

3. That a copy of this Order be mailed to interested parties and this Docket be closed.

Dated at Augusta, Maine, this 9th day of March, 1999.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
Nugent
Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.